THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO.16749 OF 2005.

DATED: 08-08-2005.

Between

Sri Sainagar Welfare Association & Registered
Society, rep. By its President, S.Somraju, son of
Satyanarayana, aged about 26 yrs, r/o MIC –248,
K.P.H.B. Hyderadbad.

…Petitioner

And

1.Mandal Revenue Officer, Qutbullapur
Mandal, Ranga Reddy district and 2 others.

….Respondents

ORDER

In this writ petition, the petitioner by way of Writ of Mandamus seeks to direct the respondents to act in accordance with law and forbear from demolishing the structures raised by the members of the petitioner society without following due process of law and without notifying the petitioner or its members about the invalidating circumstances which impelled the respondents to initiate proceedings in accordance with law.

It is the case of the petitioner that the members of the petitioner's association have purchased the plots under registered sale deed and the entries in revenue records also confirm that the land in S.No.100 of Nizampet village is private patta land. While so, on 17-06-2005, the respondents have resorted to high

handed action of demolition of part of the structures raised by the members of the petitioner society without issuing any notice nor initiating any proceedings under the law. Hence the writ petition.

Having considered the submissions made and on perusal of record and also as per the submissions made by the learned Government Pleader under instructions, it is seen that the land in S.No.100 is a patta land, whereas the petitioners are encroaching upon survey numbers 101, 91,93,95,103,105 and 191 under the guise of patta land.

In the above circumstances, the writ petition is disposed of directing the respondents not to interfere with the petitioners' land situated in S.No.100 only. No costs.

08-08-2005

Hsd